

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
(PITTSBURGH)**

IN RE:  
**Julio Velasquez**  
**Debtor**

CHAPTER 13

**NewRez LLC d/b/a Shellpoint Mortgage  
Servicing**  
**Movant**

CASE NO.: 21-21827-CMB

v.

**Julio Velasquez**  
**Respondent**

**OBJECTION OF NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING TO  
THE CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN**

Movant, NewRez LLC d/b/a Shellpoint Mortgage Servicing ("Movant"), by its attorneys Hill Wallack LLP, hereby objects to the confirmation of the Debtor's Chapter 13 Plan as follows:

1. NewRez LLC d/b/a Shellpoint Mortgage Servicing is the holder of a Note and Mortgage on real property owned by Julio W. Velasquez ("Borrower") at 4342 Old William Penn Highway, Murrysville, PA 15668 (the "Property").

2. On or about August 16, 2021, Julio Velasquez ("Debtor") filed a petition for relief under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court.

3. As of Petition date, Creditor is the holder of a secured claim in the amount of \$187,000.73, with pre-petition arrears in the amount of \$33,640.39, per Proof of Claim 3-1 filed August 24, 2021.

4. The Debtor proposes to pay \$18,500.00 to the Movant for the pre-petition arrearage on the Mortgage.

5. The Plan as proposed does not provide for Movant's claim, and therefore, the Plan is not confirmable as the Debtor's options are to either provide for payment pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) or surrender pursuant to 11 U.S.C. §1325(a)(5)(C). The Plan does neither, and therefore, the Plan does not satisfy the confirmation requirement of 11 U.S.C. §1325(a)(1).

6. If the Plan is confirmed, the Movant may suffer irreparable injury, loss, and damage.

WHEREFORE, NewRez LLC d/b/a Shellpoint Mortgage Servicing, Movant, respectfully requests that confirmation of the Debtor's Chapter 13 Plan be denied.

Respectfully submitted,

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